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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,038	11/16/2001	Kazuhito Gassho	111103	7949
7590 03/15/2006				
Peter B. martine MARTINE & PENILLA, LLP 710 Lakeway Drive Suite 170 Sunnyvale, CA 94085			EXAMINER ROBINSON, MYLES D	
			ART UNIT 2622	PAPER NUMBER

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,038

Applicant(s)

GASSHO ET AL.

Examiner

Myles D. Robinson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 6, 8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6, 8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 1/26/2006, and has been entered and made of record. Currently, **claims 1, 4, 6, 8 and 10** are pending.

Response to Arguments

2. Applicant's arguments filed 1/26/2006, with respect to the rejections of claims 1 and 4 under 35 U.S.C. 103(a) and claims 6, 8 and 10 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, new grounds of rejection are made in view of **Tang et al.** (U.S. Patent No. 6,160,629).

Regarding **claims 1 and 4**, the Applicant argues that **Hube** (U.S. Patent No. 5,517,316) in view of **Suzuki et al.** (U.S. Patent No. 6,213,652) does not disclose, teach or suggest "the printing of a mother job while keeping a daughter job in the held status" (see page 6, lines 17 – 23). However, Tang et al. do disclose the printing of a mother job while keeping a daughter job in the held status (see Figs. 4B and 4C, "Quick Copy" and "Proof and Hold", column 4, line 66 – column 5, line 8, column 5, lines 32 – 44 wherein requested copies and/or proofs are printed and additional copies are held in either permanent storage area 40 or temporary storage area 42 in Fig. 3). Therefore, the Applicant's arguments regarding claims 1 and 4 are considered not persuasive. Please cite rationale of the grounds of rejection below for further explanation.

Regarding **claims 6, 8 and 10**, the Applicant argues that Hube does not disclose, teach or suggest “executing the printing of a parent job, and creating a daughter job on completion of the printing of the parent job” (see page 5, lines 18 – 23). However, Tang et al. do disclose executing the printing of a parent job, and creating a daughter job on completion of the printing of the parent job (see Figs. 4B and 4C, “Quick Copy” and “Proof and Hold” wherein requested copies and/or proofs are printed and additional copies are held in either permanent storage area 40 or temporary storage area 42 in Fig. 3). Therefore, the Applicant’s arguments regarding claims 6, 8 and 10 are considered not persuasive. Please cite rationale of the grounds of rejection below for further explanation.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. **Claims 6, 8 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hube** (U.S. Patent No. 5,517,316) in view of **Tang et al.** (U.S. Patent No. 6,160,629).

Referring to **claim 6**, Hube discloses a job management apparatus that manages statuses of print jobs to be executed by a printing apparatus, said job management apparatus comprising:

an instruction input module (see Fig. 1, UI 52 and column 5, lines 19 – 30) that inputs a print instruction to a print job, which is excluded from a waiting queue (see Fig.

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7, job file 155) of printing operation, is kept in 'held' status, and is referred to as a mother job among various input print jobs (column 5, lines 34 – 37, column 6, lines 29 – 35 and 52 – 55), and

a print execution module that executes printing of the mother job in response to the printing instruction (column 3, lines 43 – 45, 53 – 61 and column 5, lines 21 – 26) but does not explicitly disclose a job creation module that creates at least one daughter job from the executed mother job on completion of the printing of the mother job and keeps the created at least one daughter job in a 'held' status.

Tang et al. disclose a job creation module that creates at least one daughter job from the executed mother job on completion of the printing of the mother job and keeps the created at least one daughter job in the 'held' status (see Figs. 4B and 4C, "Quick Copy" and "Proof and Hold", column 4, line 66 – column 5, line 8, column 5, lines 32 – 44 wherein requested copies and/or proofs are printed and additional copies are held in either permanent storage area 40 or temporary storage area 42 in Fig. 3).

Hube and Tang are combinable because they are both from the same field of endeavor, being print job management systems invoking a job retention status, whether temporarily or permanently. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include creating and holding at least one copy of the original job after the original job has executed along with a print job management system with job retention capabilities. The suggestion/motivation for doing so would have been to provide a variety of advanced print job control features at the site of the printer such as printing additional copies after initial print execution or proofing of the

document, as suggested by Tang et al. (column 2, lines 5 – 13 and column 4, line 66 – column 5, line 8).

Referring to **claim 8**, the rationale provided in the rejection of claim 6 is incorporated herein. In addition, the apparatus of claim 6 performs the method of claim 8.

Referring to **claim 10**, the rationale provided in rejection of claim 8 is incorporated herein. The method of claim 8 is stored as a program of instructions of claim 10 within memory and executed by a series of processors (Hube: see Fig. 2, controller 7 comprising UI 52, system control 54, main memory 56, column 4, line 62 – column 5, line 11 and column 5, lines 19 – 45; Tang et al.: see Fig. 2, computer 12 comprising user software 16 and printer driver 18 in memory and printer 10 comprising controller 22, RAM 32, ROM 34, column 3, line 57 – column 4, line 37).

5. **Claims 1 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hube** (U.S. Patent No. 5,517,316) in view of **Tang et al.** (U.S. Patent No. 6,160,629) and further in view of **Suzuki et al.** (U.S. Patent No. 6,213,652).

Referring to **claim 1**, Hube discloses a job management apparatus that manages statuses of print jobs, said job management apparatus comprising:

an instruction input module (see Fig. 1, UI 52 and column 5, lines 19 – 30) that inputs a print instruction to a print job in 'held' status, the print job in the 'held' status being referred to as a mother job (column 5, lines 34 – 37 and column 6, lines 52 – 55),

a job creation module that creates at least one daughter job (see Fig. 10, offspring jobs A1, A2, A3, ... AN) from the mother job (see Fig. 10, parent job A), in response to the printing instruction (column 7, lines 9 – 22 and 57 – 62), and

a print execution module that keeps at least one of the mother job and the daughter jobs in the 'held' status and executes printing of at least one of the other print jobs (column 3, lines 43 – 45, 53 - 61, column 6, lines 43 – 55 and column 8, lines 6 – 19) but does not explicitly disclose a job management apparatus that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1 wherein said print execution module executes printing of the mother job, while keeping at least one of the daughter jobs in the 'held' status.

Tang et al. discloses but the apparatus wherein said print execution module executes printing of the mother job, while keeping at least one of the daughter jobs in the 'held' status (see Figs. 4B and 4C, "Quick Copy" and "Proof and Hold", column 4, line 66 – column 5, line 8, column 5, lines 32 – 44 wherein requested copies and/or proofs are printed and additional copies are held in either permanent storage area 40 or temporary storage area 42 in Fig. 3) but does not explicitly disclose a job management apparatus that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1.

According to International Standard ISO/IEC10175-1, herein after referred to as the standard, defines the 'held' status as a print job that is held in a state that is neither pending printing nor in the process of printing and may be used independently of commands to 'pause' job and 'resume' job (see the standard, p. 116). The user input

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instructing a 'pause' status of a print job may be removed be removed with another input commanding a 'resume' status of that print job (see the standard, p. 66 – 68).

Suzuki et al. disclose a job management apparatus (see Fig. 1, job processing system 10, column 14, lines 53 – 54, column 15, lines 9 – 13 and column 17, lines 29 – 48) that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1. In Fig. 1, the hold queue 19 conforms to the 'held' status disclosed in the standard (see Fig. 3, steps S109, S110, S111, column 16, line 67 – column 17, line 7 and column 18, lines 16 – 22) and the pause queue 21, which operates independently from the hold queue 19, conforms to the print jobs functioning in response to 'pause' and 'resume' commands (see Fig. 34, pausing section 312e, resuming section 312f, column 17, lines 16 – 21, column 46, line 65 – column 47, line 6, column 47, lines 46 – 60). Although Suzuki et al. does not explicitly disclose conformity with the standard, one of ordinary skill in the art at the time of the invention can ascertain the teachings of Suzuki are functionally equivalent to the teachings of the standard.

Hube, Tang and Suzuki are combinable because they are both from the same field of endeavor, being print job management systems invoking a job retention status, whether temporarily or permanently. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include holding at least one copy of the original job while executing the original job along with a print job management system with job retention capabilities. The suggestion/motivation for doing so would have been to provide a variety of advanced print job control features at the site of the printer such as printing additional copies after initial print execution or proofing of the document, as

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suggested by Tang et al. (column 2, lines 5 – 13 and column 4, line 66 – column 5, line 8). Furthermore, it would have been obvious at the time of invention to one of ordinary skill in the art to include a print job management system utilizing independently separate print job queues, one designated for print jobs with 'held' status and another designated for jobs with 'pause' status along with a system that manages parent and offspring jobs. The suggestion/motivation for doing so would have been to use interruption and resumption of multi-document print processing to improving efficiency, as suggested by Suzuki et al. (column 4, line 54 – column 5, line 40).

Referring to **claim 4**, Hube discloses a job management apparatus that manages statuses of print jobs, said job management apparatus comprising:

an instruction input module (see Fig. 1, UI 52 and column 5, lines 19 – 30) that inputs a print instruction to a print job in 'held' status (column 5, lines 34 – 37 and column 6, lines 52 – 55), and

a print execution module that executes printing of the print job in response to the printing instruction (column 3, lines 43 – 45, 53 – 61 and column 5, lines 21 – 26) but does not explicitly disclose a job management apparatus that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1 and a job creation module that creates at least one daughter job from the executed print job as a mother job on completion of the print job and keeps the created at least one daughter job in a 'held' status.

Tang et al. disclose a job creation module that creates at least one daughter job from the executed mother job on completion of the printing of the mother job and keeps

the created at least one daughter job in a 'held' status (see Figs. 4B and 4C, "Quick Copy" and "Proof and Hold", column 4, line 66 – column 5, line 8, column 5, lines 32 – 44 wherein requested copies and/or proofs are printed and additional copies are held in either permanent storage area 40 or temporary storage area 42 in Fig. 3) but does not explicitly disclose a job management apparatus that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1.

According to International Standard ISO/IEC10175-1, herein after referred to as the standard, defines the 'held' status as a print job that is held in a state that is neither pending printing nor in the process of printing and may be used independently of commands to 'pause' job and 'resume' job (see the standard, p. 116). The user input instructing a 'pause' status of a print job may be removed be removed with another input commanding a 'resume' status of that print job (see the standard, p. 66 – 68).

Suzuki et al. disclose a job management apparatus (see Fig. 1, job processing system 10, column 14, lines 53 – 54, column 15, lines 9 – 13 and column 17, lines 29 – 48) that manages statuses of print jobs in conformity with International Standard ISO/IEC10175-1. In Fig. 1, the hold queue 19 conforms to the 'held' status disclosed in the standard (see Fig. 3, steps S109, S110, S111, column 16, line 67 – column 17, line 7 and column 18, lines 16 – 22) and the pause queue 21, which operates independently from the hold queue 19, conforms to the print jobs functioning in response to 'pause' and 'resume' commands (see Fig. 34, pausing section 312e, resuming section 312f, column 17, lines 16 – 21, column 46, line 65 – column 47, line 6, column 47, lines 46 – 60). Although Suzuki et al. does not explicitly disclose conformity with the standard,

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one of ordinary skill in the art at the time of the invention can ascertain the teachings of Suzuki are functionally equivalent to the teachings of the standard.

Hube, Tang and Suzuki are combinable because they are both from the same field of endeavor, being print job management systems invoking a job retention status, whether temporarily or permanently. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include holding at least one copy of the original job while executing the original job along with a print job management system with job retention capabilities. The suggestion/motivation for doing so would have been to provide a variety of advanced print job control features at the site of the printer such as printing additional copies after initial print execution or proofing of the document, as suggested by Tang et al. (column 2, lines 5 – 13 and column 4, line 66 – column 5, line 8). Furthermore, it would have been obvious at the time of invention to one of ordinary skill in the art to include a print job management system utilizing independently separate print job queues, one designated for print jobs with 'held' status and another designated for jobs with 'pause' status along with a system that manages parent and offspring jobs. The suggestion/motivation for doing so would have been to use interruption and resumption of multi-document print processing to improving efficiency, as suggested by Suzuki et al. (column 4, line 54 – column 5, line 40).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MTD 3/8/06

MDR

Mark Zimmerman

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